



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger
Judith U. Kim
Timothy J. Shea, Jr.

Patrick E. Garrett
Jeffery T. Helvey
Heidi L. K'aus
Crystal D. Sayles
Edward W. Yee
Albert L. Ferro
Donald R. Banowit
Peter A. Jackman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Fasulo II
Eldora Ellison Floyd
W. Russell Swindell
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Reginald D. Lucas

Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
Jane Shershenovich
Lawrence J. Carroll
George S. Bardmesser

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III

Registered Patent Agents
Karen R. Markowicz
Andrea J. Kamage

Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung
Katrina Y. Pei
Bryan L. Skelton
Jason D. Eisenberg
Alicia M. Choi

*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

April 19, 2002

WRITER'S DIRECT NUMBER:

(202) 312-7273

INTERNET ADDRESS:

MDOWD@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Art Unit: 1635

Re: U.S. Utility Patent Application
Appl. No. 09/580,463; Filed: May 26, 2000
For: **Cytosfectin Dimers and Methods of Use Thereof**
Inventor: WHEELER, Carl J.
Our Ref: 1530.0220001

RECEIVED

APR 22 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply To Restriction Requirement and Election of Species; and
2. Return postcard

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Matthew J. Dowd

Matthew J. Dowd
Agent for Applicant
Registration No. 47,534

SKGF_DC1:4077.1

#10/R.T.
4/24
ELECTION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
APR 22 2002
TECH CENTER 1600/2900



In re application of:
WHEELER, Carl J.
Appl. No. 09/580,463
Filed: May 26, 2000
For: **Cytofectin Dimers and Methods of Use Thereof**

Confirmation No. 2067
Art Unit: 1635
Examiner: Schnizer, R.A.
Atty. Docket: 1530.0220001

**Reply To Restriction Requirement
and Election of Species**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Office Action dated March 19, 2002, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 47-94. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made **without** traverse.

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

In response to the requirement for Election of Species, Applicant hereby provisionally elects the species wherein R₉ comprises -NR₁₂-C(O)-NR₁₃-R₁₆-NR₁₄-C(O)-NR₁₅. Claims 1, 2, 68-70, 74-86, 93, and 94 read on such species. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicant asserts the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). This election is made **without traverse**. Consideration and allowance of all pending claims are respectfully requested.

Other Matters

As discussed with the Examiner on April 8, 2002, Applicant respectfully requests that all further correspondence in the present matter be directed to the undersigned. On August 11, 2000, Robert H. Zaugg, representative of the Assignee, executed a Revocation of Prior Power of Attorney, Appointment of New Attorneys of Record, and Change of Correspondence Address ("Revocation"). The Revocation appointed new attorneys, including the undersigned, and requested that all correspondence be sent to the undersigned's address. On August 17, 2001, the undersigned filed the Revocation in the U.S. Patent and Trademark Office. Applicant respectfully directs the Examiner's attention to a copy of the Revocation, along with a stamped return postcard, attached herewith.

The undersigned has also filed in the PTO several items for the present matter. The following items have been filed: 1) Supplemental Declaration for Patent Application, filed August 23, 2000; 2) Information Disclosure Statement, filed August 25, 2000; 3) First Supplemental Information Disclosure Statement, filed September 25, 2000; 4) Corrected Assignment, filed October 11, 2000; 5) Second Supplemental Information Disclosure Statement, filed November 29, 2000; and 6) Third Supplemental Information Disclosure Statement, filed August 9, 2001. Applicant kindly requests that

the Examiner acknowledge that each of the aforementioned items has been received and considered by the Office.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Matthew J. Dowd
Agent for Applicant
Registration No. 47,534

Date: April 19, 2022

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600